

PUBLIC CHAPTER NO. 767**SENATE BILL NO. 2979****By Southerland, Raymond Finney****Substituted for: House Bill No. 3482****By Yokley, Harry Brooks**

AN ACT to amend Tennessee Code Annotated, Title 69, Chapter 3, relative to water quality.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 69, Chapter 3, Part 1, is amended by adding the following language as a new, appropriately designated section:

§ 69-3-1__.

(a)(1) In collecting water samples drawn to test the water quality of the Pigeon River at the time such river enters Tennessee from Haywood County, North Carolina, the department shall draw samples from the river within one-quarter (1/4) mile of the border separating Tennessee and North Carolina in the center of the river. Such samples shall be drawn at a time when any power plant that emits discharges into the Pigeon River and that is located within one (1) mile of the state border is running at least one (1) generator. Such samples shall be drawn in addition to collecting samples at any other location the department deems appropriate to test the water quality of the river.

(2) The results of water samples drawn pursuant to subsection (a) shall be reported independently of any other water samples drawn to test the quality of the Pigeon River and shall be incorporated by the department in any analysis of the river's water quality. The samples shall at a minimum be analyzed for apparent and true color in accordance with United States Environmental Protection Agency methods and evaluated against Tennessee water quality standards approved by the United States Environmental Protection Agency.

(b) The department is authorized to obtain a generation schedule from the power plant in order to facilitate timing the drawing of samples and may contract with local rafting entities for transportation services related to the taking of samples pursuant to subsection (a).

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: April 3, 2008



RON RAMSEY
SPEAKER OF THE SENATE



JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 21st day of April 2008



PHIL BREDESEN, GOVERNOR